

SN. 10/046,655

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## IN THE CLAIMS:

*Kindly replace claim 1 with the following corresponding replacement claim:*

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a<sup>2</sup> --1. (Amended) A hermetic motor-driven compressor comprising:

a compressing element;

a motor element for driving said compressing element, said motor element having at least one linear section formed along an outer circumferential surface thereof and at least one through hole disposed in the vicinity of the outer circumference;

a substantially cylindrical hermetic container in which said compressing element and said motor element are axially arranged and housed;

a first gas passage formed by a space between said linear section along the circumferential surface of said motor element and an inside wall surface of said hermetic container, and allows passage of compressed gas discharged from said compressing element within said hermetic container; and

a second gas passage formed parallel with said first gas passage that allows passage of compressed gas, said second gas passage comprising the through hole in said motor element,

whercin the through hole in said motor element constituting said second gas passage is disposed outside of a smallest circle that is inscribed along the linear section formed in said motor element and is concentric with said motor element.--

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